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FILED
YOLO SUPERIOR COURT

AUG 12 2009
By [Signature]
Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF YOLO

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff,

vs.

MARCO ANTONIO TOPETE,

Defendant(s)

Dept. 9

Case No. 08-3355

JOINT STATUS CONFERENCE BRIEF

To the Honorable Judge Paul K. Richardson:

The Parties in this case have met and conferred regarding
the Court's ORDER RE STATUS CONFERENCE dated August 10th, 2009.

The following declaration is signed by Deputy District
Attorney Garrett Hamilton but the content is approved by
attorneys for the defendant, Mr. Hayes Gable and Mr. Tom
Purtell:

Declaration of Garrett Hamilton

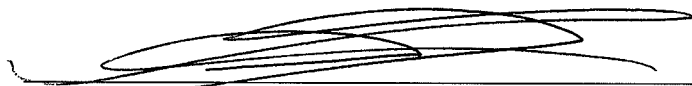
I, Garrett Hamilton, am one of the prosecutors assigned to
prosecute the above entitled case. The three issues that are
currently before the court for resolution are the Defendant's
Motion to Continue the Trial Date, the People's Motion to Compel

1 a Handwriting Exemplar from the Defendant, and the content of
2 the jury questionnaire. Both Parties have stated their positions
3 in their moving papers, but could be summarized as follows: The
4 Defendant is moving the court to continue the trial date from
5 December 2009 until approximately January 2011. The People are
6 opposed and are asking the court to monitor the defense's
7 readiness monthly. The People are moving the Court to Compel the
8 defendant to provide a handwriting exemplar to authenticate
9 several writings, and the defense has filed an opposition based
10 in part on the failure by the People to specifically reference
11 writings. Informally, the People have specified which writings
12 apply and the sides are informally conferring on that issue. On
13 June 12, 2009, the parties submitted to Judge Fall, in court, a
14 proposed jury questionnaire, having met at the order of Judge
15 Fall on that issue. The proposed questionnaire has undisputed
16 content in black ink, and disputed content in blue ink. If the
17 court follows the plan initiated by Judge Fall, the court will
18 need to resolve which questions will be in the final jury
19 questionnaire.

20 The earliest possible Friday that the necessary attorneys
21 can be in court is August 28th, 2009 at 1:30 p.m.

22 I declare under penalty of perjury that the foregoing is
23 correct.

24 Executed on August 10, 2009, at Woodland, California.

25
26 

27 GARRETT HAMILTON
28 SUPERVISING DEPUTY DISTRICT ATTORNEY

PROOF OF SERVICE

I, WENDY WILCOX, declare that I am a resident of the County of Yolo; I am over the age of eighteen years and not a party to the within entitled action; my business address is 301 Second Street, Woodland, California 95695.

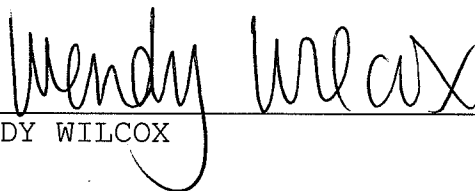
On August 11, 2009, I served the within JOINT STATUS CONFERENCE BRIEF on counsel for defendant in this action, by placing a true copy thereof enclosed in a sealed envelope and deposited the same in the United States mail at Woodland, California, addressed to the counsel of record in this action, as follows:

THOMAS PURTELL
ATTORNEY AT LAW
430 3RD STREET
WOODLAND, CA 95695

HAYES GABLE
ATTORNEY AT LAW
428 J ST., STE. 354
SACRAMENTO, CA 95814

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 11, 2009, at Woodland, California


WENDY WILCOX